

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

AUTOMATED VEHICLES

257.663 Repealed. 2016, Act 332, Imd. Eff. Dec. 9, 2016.

Compiler's note: The repealed section pertained to prohibition against operation of automated motor vehicle.

257.664 Repealed. 2000, Act 126, Imd. Eff. May 30, 2000.

257.665 Research or testing of automated motor vehicle, technology allowing motor vehicle to operate without human operator, or any automated driving system; proof of insurance; existence of certain circumstances; operation; Michigan council on future mobility; creation; membership; chairperson; recommendations; plan for general platoon operations; provisions applicable to platoon.

Sec. 665. (1) Before beginning research or testing on a highway or street in this state of an automated motor vehicle, technology that allows a motor vehicle to operate without a human operator, or any automated driving system installed in a motor vehicle under this section, the manufacturer of automated driving systems or upfitter performing that research or testing shall submit proof satisfactory to the secretary of state that the vehicle is insured under chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.

(2) A manufacturer of automated driving systems or upfitter shall ensure that all of the following circumstances exist when researching or testing the operation, including operation without a human operator, of an automated motor vehicle or any automated technology or automated driving system installed in a motor vehicle upon a highway or street:

(a) The vehicle is operated only by an employee, contractor, or other person designated or otherwise authorized by that manufacturer of automated driving systems or upfitter. This subdivision does not apply to a university researcher or an employee of the state transportation department or the department described in subsection (3).

(b) An individual described in subdivision (a) has the ability to monitor the vehicle's performance while it is being operated on a highway or street in this state and, if necessary, promptly take control of the vehicle's movements. If the individual does not, or is unable to, take control of the vehicle, the vehicle shall be capable of achieving a minimal risk condition.

(c) The individual operating the vehicle under subdivision (a) and the individual who is monitoring the vehicle for purposes of subdivision (b) may lawfully operate a motor vehicle in the United States.

(3) A university researcher or an employee of the state transportation department or the department who is engaged in research or testing of automated motor vehicles may operate an automated motor vehicle if the operation is in compliance with subsection (2).

(4) An automated motor vehicle may be operated on a street or highway in this state.

(5) When engaged, an automated driving system allowing for operation without a human operator shall be considered the driver or operator of a vehicle for purposes of determining conformance to any applicable traffic or motor vehicle laws and shall be deemed to satisfy electronically all physical acts required by a driver or operator of the vehicle.

(6) The Michigan council on future mobility is created within the state transportation department. The council shall provide to the governor, legislature, department, state transportation department, department of insurance and financial services, department of technology, management, and budget, and department of state police recommendations for changes in state policy to ensure that this state continues to be the world leader in autonomous, driverless, and connected vehicle technology. The council created under this subsection shall consist of all of the following members, who shall serve without compensation:

(a) Eleven individuals appointed by the governor who represent the interests of local government or are business, policy, research, or technological leaders in future mobility. The individuals appointed under this subdivision shall be voting members.

(b) One individual appointed by the governor who is representative of insurance interests. The individual appointed under this subdivision shall be a voting member.

(c) Two state senators appointed by the senate majority leader to serve as nonvoting ex officio members. One of the senators appointed under this subdivision shall be a member of the majority party, and 1 of the senators appointed under this subdivision shall be a member of the minority party.

(d) Two state representatives appointed by the speaker of the house of representatives to serve as nonvoting ex officio members. One of the representatives appointed under this subdivision shall be a member

of the majority party, and 1 of the representatives appointed under this subdivision shall be a member of the minority party.

(e) The secretary of state or his or her designee. The individual appointed under this subdivision shall be a voting member.

(f) The director of the state transportation department or his or her designee. The individual appointed under this subdivision shall be a voting member.

(g) The director of the department of state police or his or her designee. The individual appointed under this subdivision shall be a voting member.

(h) The director of the department of insurance and financial services or his or her designee. The individual appointed under this subdivision shall be a voting member.

(i) The director of the department of technology, management, and budget or his or her designee. The individual appointed under this subdivision shall be a voting member.

(7) The governor shall designate 1 or more of the members of the commission to serve as chairperson of the commission who shall serve at the governor's pleasure.

(8) The council created under subsection (6) shall submit recommendations for statewide policy changes and updates no later than March 31, 2017 and shall continue to make recommendations annually thereafter, or more frequently in the commission's discretion.

(9) A person may operate a platoon on a street or highway of this state if the person files a plan for general platoon operations with the department of state police and the state transportation department before starting platoon operations. If the plan is not rejected by either the department of state police or the state transportation department within 30 days after receipt of the plan, the person shall be allowed to operate the platoon.

(10) All of the following apply to a platoon:

(a) Vehicles in a platoon shall not be considered a combination of vehicles for purposes of this act.

(b) The lead vehicle in a platoon shall not be considered to draw the other vehicles.

(c) If the platoon includes a commercial motor vehicle, an appropriately endorsed driver who holds a valid commercial driver license shall be present behind the wheel of each commercial motor vehicle in the platoon.

History: Add. 2013, Act 231, Eff. Mar. 27, 2014;—Am. 2016, Act 332, Imd. Eff. Dec. 9, 2016.

Compiler's note: Former MCL 257.665, was repealed by Act 126 of 2000, Imd. Eff. May 30, 2000.

257.665a Liability.

Sec. 665a. A manufacturer of automated driving technology, an automated driving system, or a motor vehicle is immune from liability that arises out of any modification made to a motor vehicle, an automated motor vehicle, an automated driving system, or automated driving technology by another person without the manufacturer's consent, as provided in section 2949b of the revised judicature act of 1961, 1961 PA 236, MCL 600.2949b. Nothing in this section supersedes or otherwise affects the contractual obligations, if any, between a motor vehicle manufacturer and a manufacturer of automated driving systems or a manufacturer of automated driving technology.

History: Add. 2016, Act 332, Imd. Eff. Dec. 9, 2016.

257.665b Participation of motor vehicle manufacturer in SAVE project.

Sec. 665b. (1) A motor vehicle manufacturer may participate in a SAVE project if it self-certifies to all of the following:

(a) That it is a motor vehicle manufacturer. A person that is not a motor vehicle manufacturer may not participate in a SAVE project.

(b) That each vehicle in the participating fleet is owned or controlled by the motor vehicle manufacturer and is equipped with all of the following:

(i) An automated driving system.

(ii) Automatic crash notification technology.

(iii) A data recording system that has the capacity to record the automated driving system's status and other vehicle attributes including, but not limited to, speed, direction, and location during a specified time period before a crash as determined by the motor vehicle manufacturer.

(c) That the participating fleet complies with all applicable state and federal laws.

(d) That each vehicle in the participating fleet is capable of being operated in compliance with applicable traffic and motor vehicle laws of this state.

(2) A motor vehicle manufacturer's eligibility to participate in a SAVE project under this section is conditioned solely upon meeting the requirements of this section. A motor vehicle manufacturer shall verify its satisfaction of the requirements of this section using the self-certification described in subsection (1).

(3) All of the following apply to a motor vehicle manufacturer that participates in a SAVE project:

(a) The motor vehicle manufacturer may commence a SAVE project at any time after it notifies the department that it has self-certified as provided in subsection (1). The notification required by this subdivision shall also set forth the geographical boundaries for the SAVE project. A motor vehicle manufacturer may make multiple notifications under this subsection.

(b) The motor vehicle manufacturer may participate in a SAVE project under any terms it deems appropriate so long as the terms are consistent with this section and other applicable law.

(c) The motor vehicle manufacturer shall determine the geographical boundaries for a SAVE project, which may include, but are not limited to, any of the following:

(i) A designated area within a municipality.

(ii) An area maintained by a regional authority.

(iii) A university campus.

(iv) A development that caters to senior citizens.

(v) A geographic or demographic area that is similar to the areas described in subparagraphs (i) to (iv).

(d) Public operation of a participating fleet shall be confined to the boundaries selected by the motor vehicle manufacturer under subdivision (c).

(e) For the duration of a SAVE project, the motor vehicle manufacturer shall maintain incident records and provide periodic summaries related to the safety and efficacy of travel of the participating fleet to the department and the National Highway Traffic Safety Administration.

(f) An individual who participates in a SAVE project is deemed by his or her participation to have consented to the collection of the information described in subdivision (e) while he or she is in a vehicle that is part of the participating fleet and to the provision of the summaries to the department and the National Highway Traffic Safety Administration as described in subdivision (e). Before commencing a SAVE project, and for the duration of the SAVE project, the motor vehicle manufacturer shall make publicly available a privacy statement disclosing its data handling practices in connection with the applicable participating fleet.

(4) When engaged, an automated driving system or any remote or expert-controlled assist activity shall be considered the driver or operator of the vehicle for purposes of determining conformance to any applicable traffic or motor vehicle laws and shall be deemed to satisfy electronically all physical acts required by a driver or operator of the vehicle. A motor vehicle manufacturer shall insure each vehicle in a participating fleet as required under this act and chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179. For each SAVE project in which it participates, during the time that an automated driving system is in control of a vehicle in the participating fleet, a motor vehicle manufacturer shall assume liability for each incident in which the automated driving system is at fault, subject to chapter 31 of the insurance code of 1956, 1956 PA 218, MCL 500.3101 to 500.3179.

History: Add. 2016, Act 333, Imd. Eff. Dec. 9, 2016.

257.666 Violation; civil infraction; other violations arising from same transaction.

Sec. 666. (1) A person who violates this division is responsible for a civil infraction and may be fined as provided in section 907.

(2) This division does not prohibit a person from being charged with, convicted of or being found responsible for, ordered to pay a fine or costs, or punished for any other violation of law arising out of the same transaction as the violation of this division.

History: Add. 2013, Act 231, Eff. Mar. 27, 2014.

Compiler's note: Former MCL 257.666, was repealed by Act 126 of 2000, Imd. Eff. May 30, 2000.